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Message Text

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72
ACTION EUR-25

INFO OCT-01 IO-15 ISO-00 SS-15 CIAE-00 PM-07 INR-10 L-03

NEA-10 NSAE-00 PA-03 RSC-01 PRS-01 SPC-03 USIA-15

TRSE-00 MBFR-04 SAJ-01 NSC-10 OIC-04 CU-04 OMB-01

ACDA-19 AF-10 CPR-02 SCA-01 DRC-01 /166 W
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FM USMISSION NATO
TO SECSTATE WASHDC PRIORITY 1812
INFO USMISSION GENEVA PRIORITY

C O N F I D E N T I A L USNATO 4579

E.O. 11652: GDS
TAGS: PARM, NATO
SUBJECT: CSCE: BASKET III

GENEVA FOR USDEL CSCE

REF: USNATO 4513

SUMMARY: FRENCH EXPRESS OPPOSITION TO NETHERLANDS CSCE PROPOSAL ON ACCESSIBILITY OF LITERATURE, AND TO CANADIAN PROPOSAL ON ACCESS TO DIPLOMATIC EXTABLISHMENTS. END SUMMARY.

1. AT CONCLUSION OF SEPTMEBER 27 SPC MEETING ON MBFR, FRECH REP REFERRED TO CSCE, AND SAID HE HAD JUST RECEIVED INSTRCTIONS WITH REGARD TO THE NETHERLANDS DRAFT EXPLANATORY NOTE ON ACCESSIBILITY OF WORKS OF LITERATURE, ART, SCIENCE AND LEARNING (PARA 3, REFTEL), AND WITH REGARD TO THE CANADIAN DRAFT CLAUSES ON ACCESS TO DIPLOMATIC AND CONSUALR EXTABLISHMENTS (SEE TEXT BELOW).

2. FRENCH REP SAID HIS AUTHORITIES FOUND THAT BOTH THESE PROPOSALS GO BEYOND THE THRESHOLD OF POLEMICS AND THAT BOTH WOULD BE COUNTER-PRODUCTIVE "TO WHAT WE WANT TO ACHIEVE IN CSCE". HE SAID THE USSR
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WOULD REACT VIOLENTLY TO THESE REFERENCES TO DISSENT IN THE SOVIET UNION AND THIS WOULD SERVE ONLY TO IMPEDE ACHIEVEMENT OF GOOD RESULTS HOPED FOR IN OTHER AREAS.

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3. FRENCH REP CONFIRMED THAT WHILE HIS GOVERNMENT RECOGNIZED THAT INDIVIDUAL NATIONS HAD THE RIGHT TO TABLE ANY PROPOSALS THEY WISHED, HE HAD TO STATE FOR THE RECORD THAT FRANCE THROUGHT THESE TWO ITEMS WERE IMAPPROPRIATE AND THEY COULD NOT BE SUPPORTED BY FRANCE. HE APOLOGIZED FOR MENTIONING THIS ITEM WHICH WAS NOT ON THE AGENDA FOR THE DAY, BUT HIS GOVERNMENT WAS CONCERNED THAT SPONSORS MIGHT TABLE PROPOSALS IN GENEVA AT ANY MOMENT.

4. THE CANADIAN REP SAID NO DECISION HAD YET BEEN TAKEN IN OTTAWA TO INSTRUCT THE CANADIAN CSCE DEL TO TABLE THE CANADIAN LANGUAGE AND THAT IN KEEPING WITH CANADIAN UNDERTAKING TO CONSULT WITH ALLIES, NO SUCH ACTION WOULD BE TAKEN BEFORE THE ALLIES WERE INFORMED.

5. NETHERLANDS REP CONTRADICATED FRENCH ARGUMENTS ABOUT THE NETHER-LANDS DRAFT AND INDICATED THAT "UP TO NOW" THE DUTCH DELEGATION IN GENEVA HAD NOT BEEN INSTRUCTED TO TABLE THE DUTCH LANGUAGE.

6. FOLLOWING IS TEXT OF CANADIAN CSCE BASKET III PROPOSAL DATED SEPTEMBER 14, 1973:

BEGIN TEXT:

"DRAFT CLAUSES ON ACCESS TO DIPLOMATIC AND CONSULAR ESTABLISHMENTS

FOLLOWING ARE DRAFT CLAUSES FOR THE CHAPEAU TO THE SECTION ON HUMAN CONTACTS, AND FOR THE SECTION ITSELF, ON ACCESS TO DIPLOMATIC AND CONSULAR EXTABLISHMENTS.

...RECOGNIZING THAT DIPLOMATIC AND CONSULAR ESTABLISHMENTS CAN PLAY AN IMPORTANT PART IN IMPROVING RELATIONS AND UNDER-STANDING BETWEEN PEOPLES BY MAKING AVAILABLE INFORMATION CONCERNING THE SENDING STATE....

(DECLARE THAT)

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PARTICIPATING STATES WILL TAKE THE NECESSARY NEASURES TO ENSURE THAT ALL PERSONS SEEKING INFORMATION---THEIR OWN NATIONALS AS WELL AS NATIONALS OF OTHER PARTICIPATING STATES---WILL HAVE ACCESS TO DIPLOMATIC AND CONSULAR PREMISES AND TO OTHER OFFICIALLY-SPONSORED ESTABLISHMENTS OF PARTICIPATING STATES ON THEIR TERRITORIES. THE FORE-GOING SHALL NOT DEROGATE FROM THE OBLIGATION OF A RECEIVING STATE TO PROVIDE ADEQUATED PROTECTION IN ACCORDANCE WITH THE VIENNA CONVENTIONS ON DIPLOMATIC AND CONSULAR RELA-TIONS, NOR DEROGATE FROM THE RIGHT OF FOREIGN REPRESENTA-TIVES TO REFUSE ACCESS TO THEIR ESTABLISHMENTS TO PERSONS HAVING NO LEGITIMATE PURPOSE FOR SEEKING IT."

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END TEXT.
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